

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION
Case No. 1:22-cv-24023-SCOLA/GOODMAN

KENNETH C. GRIFFIN,)
)
Plaintiff,)
)
v.)
)
INTERNAL REVENUE SERVICE, *et al.*,)
)
Defendants.)
_____)

DECLARATION OF MICHAEL C. DUNN

I, Michael C. Dunn, pursuant to 28 U.S.C. § 1746, do hereby declare as follows:

1. I am a Technical Advisor in the Data Management Division (DMD) of the IRS's Research Applied Analytics and Statistics (RAAS) Unit. I have been employed in this position since November 2017. My duties include serving the Director of RAAS and supporting management of the data and systems. This includes safeguarding the data which is largely tax return information. I have worked within RAAS since 2001 in a variety of roles, including doing analytics and using the data and systems within DMD.

2. I have personal knowledge of the statements set forth in this declaration and if called to testify to the same at trial, I could do so competently.

3. I have reviewed the deposition transcript for Charles E. Littlejohn dated March 19, 2024, in the above-captioned case. I have considered which information in the transcript is confidential and whether the release of the information would present harm to the IRS.

4. The information on pages 127:20-139:16 of the deposition transcript is confidential, and I have determined that its disclosure would be harmful to the IRS. This

information discloses vulnerabilities in the IRS systems and provides a roadmap to others seeking unauthorized access to confidential return information. The information also provides a roadmap regarding what knowledge and information is useful if attempting to exploit vulnerabilities in the IRS systems. It provides information about what protections are in place and a roadmap on how to circumvent those protections. [REDACTED]

5. The information on pages 174:12-179:22 of the deposition transcript is confidential, and I have determined that its disclosure would be harmful to the IRS. This information provides a roadmap to others seeking to circumvent IRS systems and describes vulnerabilities in IRS security and safeguards. [REDACTED]

[REDACTED] Providing specific information about IRS safeguards increases the risk that bad actors can find ways around the safeguards.

6. The information on pages 189:3-193:12 of the deposition transcript is confidential, and I have determined that its disclosure would be harmful to the IRS. This information provides details about IRS systems that may be exploited to get around safeguards. This information is not publicly available and is so specific, it creates a risk about how it could be used by bad actors seeking to obtain unauthorized access to IRS systems.

7. The information on pages 198:13-199:16 of the deposition transcript is confidential, and I have determined that its disclosure would be harmful to the IRS. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

8. The information on page 201:7-16 of the deposition transcript is confidential, and I have determined that its disclosure would be harmful to the IRS. [REDACTED]

[REDACTED] Individuals seeking unauthorized access to return information could take advantage of this information and illegally obtain and release confidential tax return information.

9. The information on page 218:4-22 of the deposition transcript is confidential, and I have determined that its disclosure would be harmful to the IRS. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] The knowledge that this detailed information could be out in the public is concerning. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

10. The information on pages 296:8-297:2 of the deposition transcript is confidential, and I have determined that its disclosure would be harmful to the IRS. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on May _3_, 2024

5/3/2024

X Michael C. Dunn

Michael. C. Dunn
Technical Advisor
Signed by: Michael C. Dunn